

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress ¹**

[Date approved: June 10, 2008]²

Bill No. and sponsor: H.R. 4668 (Mr. James R. Langevin of Rhode Island).

Proponent name,³ location: Clariant Corporation, Coventry, RI.

Other bills on product (110th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2011.

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Zinc diethylphosphinate (CAS No. 284685-45-6) (provided for in subheading 2931.00.90).

Check one: Same as that in bill as introduced.
 Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

The subject synthetic organic chemical is a white powder that is melt-soluble in thermoplastic polymers. It is used mainly to provide fire retardancy for heavy gauge polyester fiber, such as fiber that is used for carpets and industrial textiles. The chemical is imported from Germany.

Estimated effect on customs revenue:

| HTS subheading: 2931.00.90 | | | | | |
|---|-----------|-------------|-------------|-------------|-------------|
| | 2009 | 2010 | 2011 | 2012 | 2013 |
| Col. 1-General rate of duty | | | | | |
| Col. 1-General rate of duty | 3.7% | 3.7% | 3.7% | 3.7% | 3.7% |
| Estimated value <i>dutiable</i> imports | \$750,000 | \$1,000,000 | \$1,000,000 | \$1,000,000 | \$1,000,000 |
| Customs revenue loss ^{1/} | \$27,750 | \$37,000 | \$37,000 | \$37,000 | \$37,000 |

Source of estimated dutiable import data: U.S. industry estimates.

Contacts with domestic firms/organizations (including the proponent):

¹ Industry analyst preparing report: Robert Randall (202-205-3366); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

| Name of firm/organization | Date contacted | Claim US makes same or competing product(s)? | Submission attached? | Opposition noted? |
|---|----------------|--|----------------------|-------------------|
| | | (Yes/No) | | |
| Clariant Corporation (Proponent) Andrew Zamoyski, az@azamoyski.com | 4/15/2008 | No | No | No |
| American Chemistry Council Marty Durbin, Fax: 703-741-6097 | 4/25/2008 | No | No | No |
| Apollo Color, Inc. Dave Klebine, Fax: 815-741-2599 | 4/25/2008 | No | No | No |
| BASF David Bushnell, Fax: 301-654-8336 Greg Thies, Fax: 202-558-5101 | 4/25/2008 | No | No | No |
| Bayer Chemicals Karen L. Niedermeyer, Fax: 412-777-4740 Julie Van Egmund, Fax: 202-737-8909 | 4/25/2008 | No | No | No |
| Biddle Sawyer William Thonack, Fax: 212-239-1089 | 4/25/2008 | No | No | No |
| Chemtura Corporation Lloyd Moon, Fax: 203-573-2686 | 4/25/2008 | No | No | No |
| Ciba Specialty Chemicals Robert Hurley, Fax: 202-289-3588 | 4/25/2008 | No | No | No |
| Dow Chemical Company Lisa Schroeter, 202-429-3467 | 4/25/2008 | No | No | No |
| DuPont Helen C. McMahon, Fax: 302-355-2994 | 4/25/2008 | No | No | No |
| Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480 | 4/25/2008 | No | No | No |
| Galaxie Chemical Corp. Michael Santoro, Jr., Fax: 973-790-7104 | 4/25/2008 | No | No | No |
| Honeywell Art Simonetti, Fax: 202-662-2675 | 4/25/2008 | No | No | No |
| Huntsman Corp. John Deming, Fax: 302-479-5499 | 4/25/2008 | No | No | No |
| Monsanto Corp. Grant Erdel, Fax: 202-789-1867 | 4/25/2008 | No | No | No |
| PMC Inc. Gordon McCollough, Fax: 513-482-7884 | 4/25/2008 | No | No | No |

| Name of firm/organization | Date contacted | Claim US makes same or competing product(s)? | Submission attached? | Opposition noted? |
|--|----------------|--|----------------------|-------------------|
| | | | | |
| Solutia, Inc. Kassie D. Wooten, Fax: 314-674-1585 | 4/25/2008 | No | No | No |
| Sun Chemical Corp. Steve Schmidt, Fax: 513-681-4960 | 4/25/2008 | No | No | No |

Technical comments:⁴

The Commission staff suggests that the article description on page 1 of this report be used in the proposed new heading because it contains the correct chemical name.

⁴ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

110TH CONGRESS
1ST SESSION

H. R. 4668

To suspend temporarily the duty on zinc diethylphosphinate.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

Mr. LANGEVIN introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To suspend temporarily the duty on zinc diethylphosphinate.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ZINC DIETHYLPHOSPHINATE.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of
5 the Harmonized Tariff Schedule of the United States is
6 amended by inserting in numerical sequence the following
7 new heading:

| | | | | | | | |
|---|------------|---|------|-----------|-----------|-------------------------|----|
| “ | 9902.01.00 | Diethylphosphinic acid, zinc salt (zinc diethylphosphinate)(CAS No. 284685–45–6)(provided for in subheading 2931.00.90) | Free | No change | No change | On or before 12/31/2011 | ”. |
|---|------------|---|------|-----------|-----------|-------------------------|----|

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to goods entered, or withdrawn from
3 warehouse for consumption, on or after the 15th day after
4 the date of the enactment of this Act.

○